

Remarks

Claims 58-91 are pending in the subject application. Applicants hereby reaffirms the election to prosecute the invention of Group I (claims 58 (in part), 59-63, and 87 (in part)), with traverse. As the species, Applicants elect an immunoglobulin constant region. By way of this amendment, claims 58, 77, 78, 86 and 89 have been amended to attend to a typographical issue. Accordingly, claims 58-91 are currently before the Examiner (with claims 78-85, 88, and 91 standing withdrawn from consideration) and claims 58-63 and 87 read on the elected invention. With respect to claims 64-77, 86, 89, and 90, Applicants have not indicated these claims as withdrawn in the event that the Examiner rejoins inventive Groups I and II pursuant to the traversal of the restriction requirement presented below. Favorable consideration of the pending claims is respectfully requested.

The Applicants' representative wish to thank Examiner Stoica for the courtesy of the telephonic interview conducted with the undersigned on August 13, 2007 regarding the Notice of Non-Compliant Amendment dated August 2, 2007. The remarks set forth in the Interview Summary Form that accompanied the supplemental Restriction Requirement dated August 21, 2007 are consistent with the substance of that interview and are believed to address the outstanding issues as discussed during the interview.

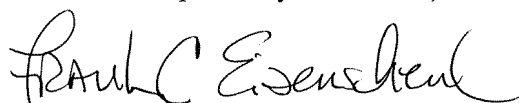
With respect to the newly issued restriction requirement, the Office Action argues that the inventions listed as Groups I-VII do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: they do not present a common structure linked to a common function. Applicants respectfully assert that to present a common structure linked to a common function is not a requirement of the PCT in order to comply with unity of invention. In fact, according to PCT Rule 13.2, the requirement of unity of invention is fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. As already shown in Applicants' response dated July 2, 2007 (and incorporated herein by reference), there is a technical relationship among the claimed polypeptides, the nucleic acid encoding the claimed polypeptides and the primer sequences specific therefor. It is submitted that this technical relationship define a contribution which each of the claimed inventions (*i.e.*, polypeptide, nucleic acid and primers), considered as a whole, makes over the prior art.

Consequently, it is respectfully requested that at least Group I and Group II be considered as a single invention or that the restriction requirement, as a whole, be withdrawn.

Applicants invite the Examiner to call the undersigned if clarification is needed or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

The Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

Respectfully submitted,

A handwritten signature in black ink, reading "Frank C. Eisenschenk". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

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